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**[Additional moving parties and counsel listed
on signature pages]**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

No. 3:07-md-1827 SI
MDL No. 1827

This Document Relates to:

INDIRECT PURCHASER CLASS
ACTION

**STIPULATION AND [~~PROPOSED~~]
ORDER RE NON-DEFENDANT CO-
CONSPIRATORS**

Hon. Susan Illston

1 Plaintiffs and the Stipulating Defendants, through the undersigned counsel, request that
2 the Court enter the following order.

3 WHEREAS the Indirect Purchaser Plaintiffs filed the Third Consolidated Amended
4 Complaint (TCAC) on April 29, 2011 (MDL dkt. no. 2694);

5 WHEREAS the Indirect Purchaser Plaintiffs name Chimei Innolux Corporation as a
6 defendant in this action and allege that it was formed as a merger of “Chi Mei Optoelectronics
7 Corp., Innolux Display Corp. and TPO Displays Corp.” in March 2010 (TCAC ¶ 60(a));

8 WHEREAS the Indirect Purchaser Plaintiffs allege that Innolux Display Corporation and
9 TPO Displays Corporation are non-defendant “co-conspirators.” (TCAC ¶ 157);

10 WHEREAS the Court entered its Order Granting In Part and Denying In Part Indirect Purchaser
11 Plaintiffs’ Motion to Amend Class Certification Order on July 29, 2011 (MDL dkt. no. 3198), denying the
12 Indirect Purchaser Plaintiffs leave to amend the Class Certification Order as to all non-defendant co-
13 conspirators first named in the TCAC; and

14 WHEREAS the parties wish to clarify and confirm the status of Innolux Display
15 Corporation and TPO Displays Corporation with respect to the Indirect Purchaser Plaintiff class
16 claims, and to avoid the need for a contested motion.

17
18 THEREFORE, the Plaintiffs and the Stipulating Defendants hereby agree:

19 1. Innolux Display Corporation and TPO Displays Corporation are non-defendant co-
20 conspirators that are not included within the Indirect Purchaser Plaintiff classes that were certified
21 by the Court.

22
23 **IT IS SO STIPULATED.**

1 Dated: September 8, 2011

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**Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the
filing of this document has been obtained from the above-referenced counsel.**

Having considered the foregoing stipulation, and good cause appearing,

IT IS SO ORDERED.

9/15/11



Judge Susan Illston

CERTIFICATE OF SERVICE BY E-MAIL
(Federal Rules of Civil Procedure Rule 5(b))

I declare that I am employed with the law firm of K&L Gates, LLP, whose address is 925 4th Avenue, Suite 2900, Seattle, Washington 98104-1158. I am not a party to the case, and I am over the age of eighteen years.

I further declare that on September 8, 2011, I served a copy of:

STIPULATION AND [PROPOSED] ORDER RE NON-DEFENDANT CO-CONSPIRATORS

by electronically mailing a true and correct copy to all parties of record through the CM-ECF system in accordance with Federal Rules of Civil Procedure Rule 5(b):

I declare under penalty of perjury that the above is true and correct.

Executed at Seattle, Washington, this 8th day of September, 2011.

Christopher M. Wyant (*Pro Hac Vice*)

/s/ Christopher M. Wyant
(Signature)